

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BEFORE THE HONORABLE ALLISON CLAIRE, MAGISTRATE JUDGE

UNITED STATES OF AMERICA,

Plaintiff,

vs. Sacramento, California
No. 2:20-cr-00213
CHALONER SAINTILLUS, Friday, April 23, 2021
2:46 p.m.

Defendant.

Sacramento, California
No. 2:20-cr-00213
Friday, April 23, 2021
2:46 p.m.

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

RE: MOTION FOR BAIL REVIEW

(Proceedings held via Zoom video conference.)

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APPEARANCES:

14 For the Government: UNITED STATES ATTORNEY'S OFFICE
15 SAMUEL STEFANKI
16 Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814

17 For the Defendant: OFFICE OF THE FEDERAL DEFENDER
18 MIA CRAGER
19 Assistant Federal Defender
HOOTAN BAIGMOHAMMADI
20 Assistant Federal Defender
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25 *Proceedings recorded by mechanical stenography. Transcript produced by computer-aided transcription.*

1 SACRAMENTO, CALIFORNIA, FRIDAY, APRIL 23, 2021, 2:46 PM

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3 THE CLERK: Calling 20-cr-213, United States versus
4 Chaloner Saintillus. This is on calendar for motion for bail
5 review, your Honor.

6 THE COURT: Appearances, please.

7 MS. CRAGER: Before we begin, could we have a short
8 breakout session with the defendant?

9 THE COURT: Yes, you may, Ms. Crager.

10 Let's create a breakout room for Ms. Crager and the
11 defendant.

12 And I believe there's nothing else on calendar. Am I
13 right, Jonathan?

14 THE CLERK: Correct.

15 THE COURT: So let's take a five-minute recess.

16 (Recess taken 2:46 p.m. to 3:05 p.m.)

17 THE CLERK: Recalling 20-cr-213, United States versus
18 Chaloner Saintillus. This is on calendar for motion for bail
19 review, your Honor.

20 THE COURT: Appearances, please.

21 MR. STEFANKI: Good afternoon, your Honor.

22 Sam Stefanki on behalf of the United States.

23 THE COURT: Good afternoon, Mr. Stefanki.

24 MS. CRAGER: Good afternoon, your Honor. Mia Crager
25 for the Federal Defender. I'm here with Mr. Baigmohammadi who

1 is also representing Mr. Saintillus. He is at the Sacramento
2 County Jail appearing by Zoom. We do consent to appear by Zoom
3 today.

4 THE COURT: Good afternoon to all of you.

5 I have reviewed the defense motion for bail review,
6 the government's opposition, and its exhibits, a report of the
7 pretrial services officer dated today as well as the March 26
8 supplemental and the Florida report.

9 So Ms. Crager, it is your motion to argue. I will
10 tell you that the thing that gives me the greatest pause of all
11 about your motion is the transcript of the hearing in Florida
12 which I appreciate Mr. Stefanki providing. I think that it
13 strongly supports his argument. So please address it in your
14 argument to me.

15 MS. CRAGER: Your Honor, unfortunately, just based on
16 our conversation in the breakout room, Mr. Saintillus has
17 expressed that he would like to represent himself. On that
18 basis --

19 (Reporter interruption regarding sound interference.)

20 THE COURT: He might need to unmute the jail again in
21 a moment because -- if there's a request for
22 self-representation.

23 THE REPORTER: Okay. Thanks.

24 THE COURT: Ms. Crager, is the defendant requesting to
25 represent himself only for purpose of this bail review hearing

1 or in general in this case?

2 MS. CRAGER: Your Honor, unfortunately, during this
3 breakout session is the first time we had discussed this, and
4 we didn't have time to have a full discussion about that.

5 THE COURT: Okay. In that case, I would continue this
6 matter to next week.

7 THE DEFENDANT: I would like my constitutional right
8 to bail.

9 THE COURT: I hear you, and I -- Mr. Saintillus, let
10 me just tell you that when a defendant wants to represent
11 themselves, the Court has to take great care to understand that
12 you understand all of the risks of doing that and so forth.

13 Can you tell me, sir, did you want to represent
14 yourself only for this hearing on the bail review motion or for
15 this whole case?

16 THE DEFENDANT: Are you speaking to me or --

17 THE COURT: I'm speaking to you right now.

18 THE DEFENDANT: Okay. I want to represent myself
19 forever.

20 THE COURT: You want to represent yourself forever?

21 THE DEFENDANT: Not that artificial being that you
22 guys are referring to on paper.

23 THE COURT: Do you want to represent yourself in this
24 entire prosecution?

25 THE DEFENDANT: Yes. Because I am not a U.S. citizen.

1 I am a Moor of America, of -- you know, my nationality is Moor.
2 So my national domicile is North America. And then just like
3 here and in Florida, they do not have vote -- have upheld my
4 constitutional rights. They just had me --

5 THE COURT: All right.

6 THE DEFENDANT: -- and all of the above.

7 THE COURT: Let me interrupt you right there because
8 I'm not going to make a decision about your self-representation
9 right now. I did hear you clearly state that your motion is to
10 represent yourself for all purposes in this case, and that is
11 not a decision I can make. That is only a decision that
12 Judge Mueller can make.

13 So I would like to know Ms. Crager and
14 Mr. Baigmohammadi's opinion about whether the appropriate
15 course is to vacate the bail review motion without prejudice to
16 refiling until after Judge Mueller can conduct a Faretta
17 hearing or whether I should proceed.

18 THE DEFENDANT: They're denying me bail anyways.

19 THE COURT: Hang on. Hang on. I'm asking the public
20 defender's position just about what order we should do things
21 in.

22 Ms. Crager.

23 MS. CRAGER: Yes. Thank you, your Honor. Seeing how
24 we cannot argue for his release until that issue is sorted out,
25 I believe we would need to have the Faretta hearing first.

1 THE COURT: Okay.

2 MS. CRAGER: As to what to do with the motion for bail
3 review, if we could maybe delay it. I just -- if he wants to
4 put it back on, I don't want that process to be delayed.

5 THE DEFENDANT: I can handle it now. Just give me an
6 ankle monitor.

7 THE COURT: Sir, I'm going to ask you not to interrupt
8 me or your lawyer.

9 Jonathan, can we mute the jail again.

10 We're only discussing process right now. I'm not
11 making any decisions about the motion or about the status of
12 counsel, but there needs to be a Faretta hearing in front of
13 the district judge.

14 So Jonathan, is there a -- when is Judge Mueller's
15 next reasonably available criminal calendar because I do think
16 she needs to take this up, and then we can continue this bail
17 review matter until after that hearing has taken place.

18 THE CLERK: She has a hearing on Monday the 26th. If
19 that's too soon, then the following week would be the 3rd.

20 MS. CRAGER: We're actually already on for a status on
21 the 3rd. Obviously we would like to get to see her as soon as
22 possible but --

23 THE COURT: Jail, please. I will just note for the
24 record that the defendant appears to be trying to -- whoa,
25 whoa. If the defendant is going to leave, let's try to keep

1 things from getting physical at the jail, please. The
2 defendant was attempting to leave. He's being restrained only
3 by the arms now at the jail.

4 Ms. Crager, you said you had a status conference in
5 front of Judge Mueller when?

6 MS. CRAGER: On May 3rd, your Honor.

7 THE COURT: All right. Let's make sure, Jonathan,
8 that Judge Mueller is alerted to the fact that the status
9 conference on May 3rd will include a Faretta hearing. Let's
10 specially set this bail review matter. Actually, we don't need
11 to do that. This can go on the 2:00 calendar of the duty judge
12 the day after the Faretta hearing. There's no reason not to do
13 that.

14 MS. CRAGER: Thank you, your Honor.

15 THE COURT: Who has got duty on May 4th?

16 THE CLERK: That would be Judge Barnes.

17 THE COURT: All right. Judge Barnes will hear the
18 bail review matter already briefed on May 4th after the Faretta
19 hearing in front of Judge Mueller on May 3rd.

20 All right. Mr. Saintillus, do you understand what's
21 happening? You'll have an opportunity on May 3rd to explain to
22 Judge Mueller why you want to represent yourself and not have
23 lawyers, and she will be the one who decides whether you get to
24 do that or not. And after that, a magistrate judge will decide
25 the bail review motion.

1 Is there anything else that I am able to do or that
2 any counsel would like me to do today? Seeing nothing, thank
3 you all very much for your appearances, and that concludes the
4 calendar.

5 MR. STEFANKI: Thank you, your Honor.

6 MS. CRAGER: Thank you, your Honor.

7 MR. BAIGMOHAMMADI: Thank you, your Honor.

8 (The proceedings adjourned at 3:14 p.m.)

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10 I certify that the foregoing is a correct transcript from the
11 record of proceedings in the above-entitled matter.

12 | /s/ Kacy Parker Barajas

KACY PARKER BARAJAS
CSR No. 10915, RMR, CRR, CRC